IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE NINETEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

And
THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 19427 of 2004

Between:

E.Ramanjaneyulu S/o.E.Ramudu
R/o.26.299, Chennakasavapuram Village Dharmavaram Rural Mandal, Anantapur District.

..... PETITIONER

AND

1 Regional Transport Officer, Hindupur, Anantapur District.
2 Motor Vehicle Inspector, Hindupur, Anantapur District.
3 Station House Officer Kothacheruvur P.S.
Kothacheruvu, Anantapur District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction, preferably one in the nature of writ of Mandamus, declaring the action of the Respondents in seizing and detaining the Petitioner's Light Motor Vehicle (Maxi Cab) bearing Registration No.AP.02/U.6159 pursuant to the Vehicle Check Report No.0300624, dated 6.10.2004 of the 2nd respondent as illegal, arbitrary and contrary to law and consequently direct the respondents herein to release the said vehicle without insisting upon payment of

any difference of tax, to the petitioner herein, forthwith and pass.

Counsel for the Petitioner: MR.KUNCHEAM MAHESWARA RAO

Counsel for the Respondent Nos.1 to 3: GP FOR TRANSPORT

The Court, at the stage of admission, made the following:

(Oral Order: Per: The Hon'ble Mr. Justice K.C. Bhanu)

Questioning the check Report No. 0300624 dated 06-10-2004, the present writ petition is filed for grant of interim custody of the vehicle – Light Motor Vehicle (Maxi Cab) bearing Registration No. AP.02/U.6159. Admittedly, the 1st respondent is the competent authority to pass appropriate orders for grant of interim custody of the vehicle. Petitioner has not filed any application before the 1st respondent. Therefore, the writ petition is devoid of merits and is dismissed with a liberty to file an application before the 1st respondent – The Regional Transport Officer, Hindupur, Ananthapur district and thereafter the 1st respondent has to pass appropriate orders within three (3) days from the date of submitting application.

With the above directions, the writ petition is dismissed at the stage of admission.

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K.C. BHANU, J

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B. SESHASAYANA REDDY,J

Dt. 19-10-2004

Pvks/*

To

1 Regional Transport Officer, Hindupur, Anantapur District.
2 Motor Vehicle Inspector, Hindupur, Anantapur District.
3 Station House Officer Kothacheruvur P.S.
Kothacheruvu, Anantapur District.

4.2CCs to the Government Pleader for Transport, A.P. High Court Buildings, Hyderabad (OUT).

5.2CD copies

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